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July 9, 2001

Sarah M. Jackson, Executive Director
c/o Ms. Rosemary Center
Kentucky Registry of Election Finance
140 Walnut Street
Frankfort, KY 40601

RE: Advisory Opinion for Cyril Allgeier

Dear Rosemary:

Thank you for discussing with me the situation of my client, the Cyril Allgeier for Alderman Campaign.

As you know, the campaign has a fund balance from the last race for alderman run by Mr. Allgeier. I am requesting an advisory opinion as to whether that balance can be used in a race for the newly created legislative council of Greater Louisville.


Allgeier's situation is distinct from the Jefferson Fiscal Court Commissioner case. Allgeier's aldermanic office is replaced and superceded by the new council seat. The office of alderman will no longer exist (KRS 67C.101 and KRS 67C.103)

Cyril Allgeier intends to run for the new council and is prevented from running for alderman by operation of law. Given this unique set of circumstances, I would argue that the campaign is exempt from the requirements of KRS 121.180 (10) as to a "different public office." The office of alderman is replaced by council member in name only. The duties and responsibilities are the same. The office is the same. Allgeier, in most respects, is simply running for reelection.

I appreciate your prompt attention to this matter. The campaign will be required to disburse the unexpended funds quickly if your advice is to do so. Hopefully, the registry will agree that the balance of the campaign fund may simply be transferred to the Cyril Allgeier for Council campaign.

Sincerely,

KAREM & KAREM, ATTORNEYS


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